

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, January 4, 2021 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Council Member
Melissa Olson, Council Member Place 3
Doug Barnes, Council Member Place 2

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Robert Brown, City Attorney
Amber Villarreal, Assistant City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Council Member Doug Barnes gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Mr. Kevin Ivey, 1980 E. Highland Rd., expressed concerns with times for polycarts to be set out, when they must be removed, the issue with setting out polycarts for those with long driveways, and concerns with damaged or stolen polycarts and the cost imposed to the residents to replace them.

5. Consent Agenda

- a. Minutes of the City Council meeting of December 21, 2020
- b. Minutes of the City Council briefing of December 21, 2020
- c. Event application for One Act Play Public Performance on March 6, 2021
- d. Event application for Community Good Friday Service on April 2, 2021
- e. Event application for Waxajam 2021 on April 10, 2021
- f. Event application for Crossroads of Texas Film & Music Festival on April 22-24, 2021

Action:

Council Member Doug Barnes moved to approve items a. through f. on the Consent Agenda. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

6. Consider amending Chapter 14, Garbage and Trash, of the City of Waxahachie Code of Ordinances

Assistant City Manager Tommy Ludwig reviewed a summary of changes to Chapter 14 of the Code of Ordinances. He explained revisions to the ordinance reflect the establishment of weekly polycart trash collection, every other week polycart recycling collection, weekly household hazardous waste collection, and weekly brush and bulk collection. Mr. Ludwig reviewed the following:

- Polycart placement for residential, small commercial, and industrial businesses.
- Polycart maintenance responsibilities for the customer and city's contracted agent.
- Senior Citizens discount from a fixed rate of \$2.10 to a 10% discount.
- Convenience Station modified fee structure and operational changes.

Council Member Melissa Olson asked if the pink tags could be explained. Mr. Ludwig noted the pink tags are for additional bagged garbage that can't be placed in the polycarts. He noted a pink tag is needed for each additional bag and is priced less than a \$1 each.

ORDINANCE NO. 3244

AN ORDINANCE AUTHORIZING AMENDMENTS TO SOLID WASTE, RECYCLING, AND CONVENIENCE STATION PROVISIONS, BY AMENDING SECTIONS 14-1 THROUGH 14-43 OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND SETTING AN EFFECTIVE DATE

Action:

Council Member Melissa Olson moved to approve Ordinance No. 3244 with the change from 9:00 p.m. to 7:00 p.m. for residential customers to set out polycarts the night before. Council Member Chuck Beatty seconded, All Ayes.

- 7. Consider authorization of a two year Master Service Agreement with GAW Construction, through an Interlocal Agreement with the City of Midlothian, for various concrete services**

Mr. Ludwig reviewed the proposed two-year citywide master agreement, with three one-year renewal options, with G.A.A. Construction Services LLC for miscellaneous concrete installation and repair services in the amount of \$1,225,000. He explained a master agreement does not appropriate or obligate the City to expend funds but rather provides fixed pricing for a defined period, up to the authorized agreement amount.

Action:

Council Member Chuck Beatty moved to approve a two year Master Service Agreement with GAW Construction, through an Interlocal Agreement with the City of Midlothian, for various concrete services as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

- 8. Consider proposed Resolution of Candidate Nomination for the Ellis Appraisal District Board of Directors Vacancy for the year 2021**

City Manager Michael Scott explained there is a vacancy on the Ellis Appraisal District Board of Directors and all entities were asked to submit a nomination.

City Council had no nomination.

No action taken.

9. Consider appeal for exemption to Police Chief's decision related to City Ordinance No. 3096

Mr. Richard Gladden, applicant's attorney, requested approval of exemption to City Ordinance No. 3096 to allow his client a second chance by returning to his parent's residence to allow him to be reintroduced as a productive member of society. He commended the city for having an appeals process for Ordinance No. 3096.

Action:

Mayor Pro Tem Mary Lou Shipley stated as authorized by Section 551.071 of the Open Meeting Act, I make a motion that we go into Executive Session to seek legal advice from the City Attorney on agenda item No. 9 - Consider appeal for exemption to Police Chief's decision related to City Ordinance No. 3096. Council Member Doug Barnes seconded, All Ayes.

Mayor Hill announced at 7:30 p.m. the City Council would convene into Executive Session for consultation with attorney as permitted under Section 551.071, Texas Government Code.

The meeting reconvened at 8:01 p.m.

Action:

Mayor Pro Tem Mary Lou Shipley moved to grant the applicant's request with the following provision: that the exemption from the requirements of this statute be for a limited period of time beginning today and up to and including December 31, 2021, additionally the applicant is ordered not to be within Brown-Singleton Park for any purpose, and additionally the City Attorney be authorized to memorialize this exemption decision in writing to be sent to the applicant's attorney Mr. Richard Gladden. Council Member Melissa Olson seconded, All Ayes.

10. Comments by Mayor, City Council, City Attorney and City Manager

Council Member Doug Barnes thanked everyone for their prayers for his wife and announced she will be home Thursday.

11. Adjourn

There being no further business, the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary